IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REVISION No.625 of 2008
ANIL PANDIT & ORS
Versus
STATE OF BIHAR
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2. 07.07.2008. Heard learned counsel for the petitioners and the State.

Petitioners are the husband, father-in-law, mother-in-law and brother-in-law of the informant. They have been convicted for the offences under Sections 498A, 323 and 504 of the Penal Code but have been differently sentenced as petitioner no.1 is to undergo rigorous imprisonment for two years as also to pay a fine of Rs. 5,000/- and in default of paying the fine he is to undergo simple imprisonment for two months under Section 498A, six months rigorous imprisonment each under Sections 323 and 504 of the Penal Code. So far petitioner nos. 2 to 4 are concerned, they have been directed to undergo rigorous imprisonment for one year and to pay a fine of Rs. 3,000/- in default of paying the fine they have to undergo simple imprisonment for one month under Section 498A and three months rigorous imprisonment each under Sections 504 and 323 of the Penal Code. The different sentences under Sections 323, 504 and 498A of the Penal Code, however, have been directed to run concurrently. The aforesaid conviction and sentences have been awarded under judgment dated 27th December, 2006 passed by the S.D.J.M., Munger in G.R.No. 1303 of 1999/ T.R.No. 337 of 2006 and have also been affirmed in appeal under judgment dated 31st March, 2008 passed by the Additional Sessions Judge, Fast Track Court No.-II, Munger in Cr. Appeal No. 3 of 2007. Present Cr. Revision

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application is directed against the judgment passed by the trial court as also the appellate court.

Having perused the two judgments, I am satisfied that the courts below, having considered the evidence on record, have passed the judgment in which there is absolutely no illegality. Accordingly, this Cr. Revision application is dismissed but considering the fact that petitioner no.3, namely, Dinesh Pandit is the younger brother-in-law of the informant, in his case it is directed that the cause of justice will be subserved by reducing his sentence to the period already undergone and accordingly he is directed to be released from jail custody forthwith, if not wanted in any other case. Before releasing him in the light of this order the court below will ensure that he deposits his share of the fine.

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Let this order be communicated to the court below through fax on payment of usual charges by the petitioners.

(V.N.Sinha,J.)

P.K.P.

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